

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

-----X
In re:

Chapter 7

IMAGE RENT A CAR, INC.,

Case No. 11-42390 (NHL)

Debtor.

-----X
GREGORY MESSER, ESQ., as Trustee of the
estate of Image Rent A Car, Inc.,

Plaintiff,

-against-

Adv. Pro. No. 12-1288 (NHL)

SCHNEIOR ZILBERMAN, ADIR GROUP, INC.,
ADIR RENT A CAR, INC., ADIR PLAZA, INC.,
GROUP TRAVEL SOLUTION, INC. and GAD
SEBAG,

Defendants.

-----X

AMENDED PRETRIAL SCHEDULING ORDER

This Amended Pretrial Order amends the Pretrial Scheduling Order entered on December 7, 2012, and the Stipulation and Order Extending Discovery entered on April 29, 2013 as follows:

4. Discovery shall be completed by July 31, 2013 unless the Court, upon appropriate motion and/or consideration of the discovery plan, alters the time and manner of discovery.
5. By September 5, 2013, the Parties shall file the Joint Pretrial Memorandum which shall set forth the following:
 - (A) The name, address and telephone number of each witness, separately identifying those whom the party expects to present and those whom the party may call if the need arises;
 - (B) A list of witnesses whose testimony is expected to be presented by means of a deposition and, if taken stenographically, a transcript of the pertinent portions of the deposition testimony;
 - (C) A list of witnesses intended to be called as experts, together with any statement(s) as to an objection to their qualification;

- (D) An appropriate identification (pre-numeration) of each document or other exhibit, other than those to be used for impeachment, in the sequence in which they will be offered, including summaries of other evidence, separately identifying those exhibits which the party expects to offer and those which the party may offer if the need arises;

Parties shall bring sufficient copies of all exhibits to Court for trial so that a copy is available for the Court, the Courtroom Deputy, the witness and all counsel. Exhibits shall be assembled in notebooks tabbed with appropriate exhibit numbers and shall be available at the commencement of trial.

Counsel may, but need not, file trial briefs, which shall be filed seven (7) days prior to trial.

Counsel may be required to submit trial briefs and/or proposed findings of fact and conclusions of law at the conclusion of trial.

- (E) A statement of any objection, together with the grounds therefor, reserved as to the admissibility of a deposition designated by another party and/or to the admissibility of documents or exhibits. Objections not so disclosed, other than objection under Rules 402 and 403 of the Federal Rules of Evidence, shall be deemed waived unless excused by the Court for good cause shown;
- (F) A statement confirming that the parties have exchanged copies of the exhibits.
- (G) Facts which are admitted and which require no proof;
- (H) The issues of fact which remain to be litigated (evidence at trial shall be limited to these issues);
- (I) The issues of law to be determined;
- (J) A brief statement summarizing the Movant's case;
- (K) A brief statement summarizing the Respondent's case; and

- (L) **The Joint Pretrial Memorandum shall also contain the estimated length of trial.**
6. The parties shall serve and file any and all dispositive motions in connection with this adversary proceeding no later than August 29, 2013, or the relief sought in such motions shall be deemed to have been waived.

**Dated: May 16, 2013
Brooklyn, New York**



Nancy Hershey Lord

**Nancy Hershey Lord
United States Bankruptcy Judge**